



Saskatchewan
Highways and
Transportation

DEPARTMENT OF TRANSPORTATION

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DOT Docket No. FHWA-98-3414 -24
Docket Clerk
US DOT Dockets
Room PL-40 1
400 Seventh Street, SW
Washington, DC
20590-0001

Dear Sir/Madam

This letter is in response to the Federal Highways Administration's (FHWA) request for comment relating to the CVSA North American Uniform Out-of-Service Criteria (OOSC). Region V includes all Canadian provincial and territorial members of the Commercial Vehicle Safety Alliance (CVSA).

Members of Region V have expressed concerns in the past about placing the OOSC into the federal register. Region V jurisdictions continue to oppose the inclusion of the OOSC into the federal register because it does little to enhance uniformity of enforcement and truck safety while taking the spirit of our international partnership and turning it into US federal regulations.

In Canada, the OOSC serve as a guideline to officers and inspectors in every jurisdiction when assessing the relative level of safety of commercial vehicles and determining whether they should be allowed to proceed or be removed from the road. As such the OOSC has been a major contributing factor to uniformity of enforcement across North America. Enshrining the OOSC in law will limit the use of discretion when deciding how to deal with an unsafe truck which could ultimately lead to a lack of uniform enforcement within and among jurisdictions as officers and inspectors interpret and apply the laws differently.

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The OOSC are embraced by an international organization of Canadian provinces and territories, US states and Mexico as well as numerous industry members in the three countries. The process for reviewing and amending the criteria is a model of international partnership and coordination. As members of CVSA, the Canadian jurisdictions and industry enjoy the same opportunity for input into the criteria as US jurisdictions. It is unlikely they will have the same level of input into the federal rule making process.

The current CVSA process serves both government and industry members well. Changing that process by placing the OOSC into US federal regulation reduces the opportunity for effective input by Canadian jurisdictions and industry. The legislative review process will make it more difficult to make timely amendments to the OOSC. The end result may prove to be much less beneficial to carriers than the present system.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Peter Hurst", with a stylized flourish at the end.

Peter Hurst
President, CVSA Region V - Canada

cc: Region V – Canada
R. Fiste, Executive Director, CVSA